



PROPOSED RULE MAKING

CR-102 (June 2004)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: **BOARD OF PILOTAGE COMMISSIONERS**

- ☒ Preproposal Statement of Inquiry was filed as WSR 10-13-111 ; or
☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice
☐ Supplemental Notice to WSR _____
☐ Continuance of WSR _____

Title of rule and other identifying information: (Describe Subject)

WAC 363-116-070 Collection of fees
WAC 363-116-360 Exempt vessels
WAC 363-116-300 Pilotage rates for the Puget Sound pilotage district

Hearing location(s):

2901 Third Avenue
1st Floor, Agate Conference Room
Seattle, WA 98121

Date: **November 9, 2010** Time: **11:30 a.m.**

Submit written comments to:

Name: **Captain Harry Dudley, Chairman**
Address: **2901 Third Avenue, Suite 500**
Seattle, WA 98121

e-mail **larsonp@wsdot.wa.gov**fax **(206) 515-3906** by (date) **November 2, 2010**

Assistance for persons with disabilities: Contact

Shawna Erickson by **November 5, 2010**TTY () _____ or **(206) 515-3647**Date of intended adoption: **November 9, 2010**

(Note: This is NOT the effective date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

This proposed rule is intended to:

- increase the annual state pilot license fee for an active pilot from \$6,000 to an amount within a range of \$7,500 to \$9,000
- increase all passenger and yacht exemption fee categories by 50%
- increase the training surcharge category of the Puget Sound Pilotage District tariff by \$10. This \$10 amount is intended to support the Board's costs associated with certain specified training-related expenditures. The initial \$10 charge already established in this tariff category is intended to continue to support trainee stipends paid to pilot trainees engaged in the stipend program.

Fees are the sole source of funding for the operations of the Board. Without adequate fee increases, operating revenue will fall short of the anticipated expenditures for the remainder of the 2009-11 Biennium and future biennia.

Reasons supporting proposal:

It is necessary to establish sufficient funding to ensure the Board's continued administration of the Pilotage Act.

Statutory authority for adoption:

Chapter 88.16 RCW

Statute being implemented:

Chapter 88.16 RCW

Is rule necessary because of a:

- Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No
If yes, CITATION:

DATE **October 5, 2010**NAME **Peggy Larson**

SIGNATURE

TITLE **Administrator****CODE REVISER USE ONLY**

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: **October 06, 2010**TIME: **11:15 AM****WSR 10-20-170**

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

Legislative authority to raise pilot license fees expires on June 30, 2011 pursuant to RCW 88.16.090(7).

The maximum amount to be charged for a vessel exemption application is \$1,500 pursuant to RCW 88.16.070(2).

The Board has the authority to direct the disposition of all training surcharge receipts collected through pilotage tariffs pursuant to WAC 363-116-078(10)(b). Under this authority the Board intends to direct the disposition of these funds to include payment of certain specified training-related expenditures in addition to pilot trainee stipends.

Name of proponent: (person or organization)

Board of Pilotage Commissioners

☐ Private
☐ Public
☒ Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting.....	Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904
Implementation....	Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904
Enforcement.....	Board of Pilotage Commissioners	2901 Third Avenue, Seattle, WA 98121	(206) 515-3904

Has a small business economic impact statement been prepared under chapter 19.85 RCW?

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No. Explain why no statement was prepared.

The application of the proposed modifications is clear in the description of the proposal and its anticipated effects as well as the attached proposed language.

Is a cost-benefit analysis required under RCW 34.05.328?

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

☒ No: Please explain:

RCW 34.05.328 does not apply to the adoption of these rules. The Washington State Board of Pilotage Commissioners is not a listed agency in RCW 34.05.328(5)(a)(i).